

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NEMESIS 2 LLC,

Plaintiff,

-v-

ROBERT PALADINO, ANDRÈ ROLA
CABRAL, PASCAL SALVATI and THE
PURE BRAZILIAN COMPANY, S.L.,

Defendants.

USDC-SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: 11/26/2019
DATE FILED: 11/26/2019

No. 19-CV-3373 (RA)

AMENDED
ORDER AND JUDGMENT

The Judgment entered in this action by the Clerk of Court on November 21, 2019 is recalled and the following Order and Judgment is directed to be entered:

WHEREAS, by Order and Default Judgment entered in this action on October 21, 2019, the Court held Defendant The Pure Brazilian Company, S.L. (“Defendant PB”) liable to Plaintiff in the amount of \$647,783.56 on a certain Bridge Note dated May 25, 2019 (the “Note”); and

WHEREAS, the time to file a Notice of Appeal from the aforesaid Order and Default Judgment has expired, and no Notice of Appeal therefrom has been filed; and

WHEREAS, by Memorandum Opinion and Order filed on November 21, 2019, the Court granted Plaintiff’s motion for summary judgment against Defendant Robert Paladino (“Defendant Paladino”) and denied Defendant Paladino’s cross-motion for summary judgment against Plaintiff, and held Defendant Paladino liable to Plaintiff, jointly and severally with Defendant PB, for the amount due and owing on the Note, up to the amount of \$600,000, pursuant

to a certain Unconditional Guarantee made by Defendant Paladino in favor of Plaintiff dated May 25, 2018; and

WHEREAS, the Court has been advised that Plaintiff is actively pursuing service of process on Defendant Pascal Salvati (“Defendant Salvati”) in Switzerland pursuant to the Hague Convention, but is presently not pursuing service of process on Defendant André Rola Cabral (“Defendant Cabral”);

NOW, THEREFORE, it is

ORDERED, that Plaintiff’s motion for summary judgment against Defendant Paladino is Granted, and Defendant Paladino’s cross-motion for summary judgment against Plaintiff is Denied; and it is further

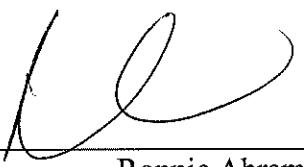
ORDERED, ADJUDGED and DECREED: That Plaintiff Nemesis 2 LLC have judgment against Defendant Robert Paladino in the amount of \$600,000, and that Plaintiff have execution therefor against Defendant Paladino to the extent that the amount of \$600,000 or less remains due and payable on the Note pursuant to the Court’s Order and Default Judgment entered in this action on October 21, 2019; and it is further

ORDERED, that the case is closed as against Defendant Paladino; and it is further

ORDERED, that the action is severed and continued as against Defendant Salvati; and it is further

ORDERED, that the action is dismissed as against Defendant Cabral, without prejudice to the action being reopened and reinstated by Plaintiff against Defendant Cabral upon Plaintiff's presentation to the Court of satisfactory evidence that Defendant Cabral has been duly served with process.

Date: November 26, 2019
New York, New York



Ronnie Abrams
United States District Judge